

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 246 OF 2022

TUSHAR KANTI MANDAL - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. Apares Sinha Advocate
<u>03</u> 10.08.2022	For the State respondents	:	Mr. Goutam Pathak Banerjee Advocate
	For the Principal Accountant General (A&E) West Bengal	:	Mr. Biswanath Mitra (Departmental Representative)

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 496-WBAT/1E-08/2003 (Pt.-II) dated 4th August, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

Since despite service of notice none appears on behalf of the State respondents, Mr.G.P.Banerjee, learned advocate, who normally appears on behalf of the State respondents, is requested to appear in this matter. Let a copy of the application be served by Mr.A.Sinha, learned advocate for the applicant on Mr. Banerjee, which is served and accepted. The Legal Remembrancer, West Bengal, is directed to regularise the appointment of Mr.Banerjee.

In the application, Tushar Kanti Mandal, the applicant, who had superannuated from the post of District Registrar, Birbhum on 31st January, 2021, has prayed for the following relief:

“ A) The Hon'ble Tribunal may be pleased to direct the respondent authorities to make payment of interest as per prevalent bank rate on delayed payment of pensionary benefit from the date of retirement i.e. 01.02.2021 till the date of actual payment (as mentioned in the representation dated 10.03.2022) in favour of the applicant forthwith.”

ORDER SHEET

Form No.

TUSHAR KANTI MANDAL

Case No. : **OA 246 OF 2022**

Vs.
THE STATE OF WEST BENGAL & ORS.

It is submitted on behalf of the applicant that since the superannuation benefits have been given to the applicant after much delay, appropriate order as prayed for may be passed. Submission is though representation dated 10th March, 2022 to that effect was furnished before the Inspector General of Registration and Commissioner of Stamp Revenue, the respondent no. 3, it has not been considered. Aggrieved, this application has been filed.

It is submitted by Mr.Sinha that for the ends of justice, the respondent authorities may be directed to consider the said representation dated 10th March, 2022, being Annexure- A-6 to the application.

Mr. Banerjee, submits if directed, the respondent authorities will consider the said representation in accordance with law.

Mr.B.Mitra, the departmental representative for the Principal Accountant General (A&E) West Bengal, submits that his department does not have any role to play in the matter of granting of interest for alleged delayed payment of superannuation benefits.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Inspector General of Registration and Commissioner of Stamp Revenue, Government of West Bengal, the respondent no. 3 to dispose of the representation dated 10th March, 2022 by passing a reasoned order to be communicated to the parties within fifteen weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal after giving an opportunity of hearing and after verifying the records.

BLR

(SOUMITRA PAL)
CHAIRMAN